

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

LEE, Duck-Rog

YEiL Patent & Trademark International YEiLPAT Bldg., 669-17, Yorksam-dong, Kangnam-ku Seoul 135-915, Republic of Korea

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)



Date of mailing (day/month/year) 25 FEBRUARY 2005 (25.02.2005)	
Applicant's or agent's file reference YL04021PCT	FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/KR2004/002992	International filing date (day/month/year) 18 NOVEMBER 2004 (18.11.2004)
Priority date(day/month/year) 04 DECEMBER 2003 (04.12.2003)	
International Patent Classification (IPC) or both national classification and IPC IPC7 A23L 1/10	
Applicant CJ CORP. et al.	

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



Korean Intellectual Property Office
920 Dunsan-dong, Seo-gu, Daejeon 302-701,
Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

KIM, Tae San

Telephone No. 82-42-481-5633



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002992

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002992

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-2	YES
	Claims	none	NO
Inventive step (IS)	Claims	1-2	YES
	Claims	none	NO
Industrial applicability (IA)	Claims	1-2	YES
	Claims	none	NO

2. Citations and explanations :

2-1. Reference

D1: JP54-122745 A (QP Corporation) 22 September 1979

D2: KR90-003278 B1(Ottugi Food Co.,Ltd.) 30 May 1990

D3: JP09-163949 A (Lai Qiguang) 24 June 1997

D4: JP60-058049 A (Tokiwadou Kaminariokoshi Honpo Co.,Ltd.) 04 April 1985

D5: JP02-053448 A (Kanemasu Co.,Ltd.) 22 February 1999

2-2. Comparisons

D1 is the closest prior art document to the present invention concerning raw materials, a treatment method, and characteristics of the resulting product.

Claims 1-2 of D1 disclose a thermal treatment method at 125°C for 15 minutes in a method of manufacturing instant rice gruel. The thermal treatment method of the present claim 1 is similar to that of D1 in the temperature and the period, but the period in the present invention is applied being divided in 4-10 times wherein each application lasts for 4-8 seconds as disclosed in the detailed description, thereby optimizing the texture and stability of the product. Accordingly, the present claim 1 is considered to include a distinctive technical feature compared with D1.

Thus, claim 1 and claim 2 dependent on claim 1 are inventive.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)



Applicant's or agent's file reference YL04021PCT	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/KR2004/002992	International filing date (day/month/year) 18 NOVEMBER 2004 (18.11.2004)	(Earliest) Priority Date (day/month/year) 04 DECEMBER 2003 (04.12.2003)
Applicant CJ CORP. et al		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☐ Unity of invention is lacking (See Box No. III)

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 1

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/KR2004/002992

A. CLASSIFICATION OF SUBJECT MATTER**IPC7 A23L 1/10**

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC7 A23L 1/10,1/39,

F-term: 4B036, 4B023

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Korean Patents and applications for inventions since 1975

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

PAJ,IBM,USPTO,Delphion,e-KIPASS

key terms: porridge,gruel/ pasteuriz*,disinfect*,sterilz*/retort

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP54-122745 A (QP Corporation) Sep.22,1979 see claims 1 & 2	1
A	KR 90-003278 B1(Ottugi Food Co.,Ltd.) May 30, 1990 see claim 1	1
A	JP 09-163949 A (Lai Qiguang) Jun.24,1997 see segment [0002], [0007]-[0008], [0021], [0040]	1
A	JP 60-058049 A (Tokiwadou Kaminariokoshi Honpo Co.,Ltd.) Apr.04,1985 see claims 1 & 2, page 254, column 1, line 31-40, page 255, column 2, line 8- 18, page256 column 1, line 3-20	1
A	JP 02-053448 A (Kanemasu Co.,Ltd.) Feb.22,1999 see page 279 column 1, Example #2, line 27-37	1
A	"Research of Kinds of Rice Porridge and Recipes of it" 「 KOREAN J. FOOD & NUTR. vol.13.No.3. 281-290(2000)」 (Hae-Jeung Lee et al.) see the whole document	1



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

25 FEBRUARY 2005 (25.02.2005)

Date of mailing of the international search report

25 FEBRUARY 2005 (25.02.2005)

Name and mailing address of the ISA/KR



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Facsimile No. 82-42-472-7140

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KIM, Tae San

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/KR2004/002992

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	"Characterization of Materials for Retort Processing in Oyster Porridge" 「J. Korean Soc. Food Sci. Nutr. 31(5) 770-774(2002)」 (Sung-Ho Hur et al.) see the whole document	1

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/KR2004/002992

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
JP54-122745 A	Sep.22,1979	none	
KR90-003278 B1	May 30,1990	none	
JP 09-163949 A	Jun.24,1997	CN 1146295 A SG 85084 A1	Apr.02,1997 Dec.19,200
JP 60-058049 A	Apr.04,1985	none	
JP 02-053448 A	Feb.22,1999	none	